

*10/14/03
C. Stoyles*

US Express Mail No. EF195546539US

Docket No. ORT1478



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : J. Guy Breitenbacher, *et al.*)
Serial No. : 09/928,122) Art Unit
Filed : August 10, 2001) 1624
Title : Substituted pyrazoles)
Examiner : Emily B. BERNHARDT)
Confirmation Number: 6262)

I hereby certify that this correspondence is being deposited with the
United States Postal Service as US Express Mail No. EF195546539US in an envelope addressed
to: Commissioner of Patents, Mail Stop Petition, PO Box 1450, Alexandria, VA 22313-1450 on

August 14, 2003
(Date of Deposit)

Jesús Juanós i Timoneda
(Name of applicant, assignee, or Registered Representative)

August 14, 2003
(Date of Signature)

*RECEIVED
AUG 26 2003
OFFICE OF PETITIONS*

Honorable Commissioner of Patents
Alexandria, Virginia 22313-1450

Response "A"

Dear Sir:

In response to the Office Action dated October 23, 2002, (hereinafter the "Office Action") Applicants submit the present response that is filed together with a petition for revival under 37 C.F.R. § 1.137(b) and a petition for an extension of time. No amendments are hereby introduced.

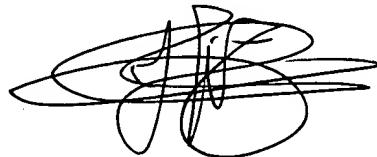
Applicants thank the Examiner for the telephone conference in which Applicants' representative requested clarification on the species referred to in the Office Action and on the criterion used to classify such species. In the Examiner's reply, Applicants were directed to identify a type of compound for the purpose of suggesting a search direction in light of the plurality of compounds that fall within the scope of claim 1.

Applicants do hereby elect claims in Group I identified in the Office Action. In response to the Examiner's direction, Applicants identify without prejudice as follows: Examples of compounds within the scope of claims in Group I include compounds for which the XYZ-ring is monocyclic and R⁵/R⁶ form pyridine, and derivatives of such compounds. More particular examples within this Group include the compounds named in Examples 25-32, Application, pp. 90-93. The compound 1-[4-(2-Amino-6-chloro-phenyl)-piperazin-1-yl]-3-[5-methanesulfonyl-3-(4-trifluoromethyl-phenyl)-4,5,6,7-tetrahydro-pyrazolo[4,3-c]pyridin-1-yl]-propan-2-ol (Example 25, Application, pp. 90-91) illustrates a fully named compound among such examples.

Applicants reserve the right to traverse any species election requirement until the time Applicants are notified of a concrete species classification for election purposes, if one were eventually asserted.

Applicants respectfully request favorable consideration of the present Response to place
the present application in condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jesús Juanós i Timoneda".

By: Jesús Juanós i Timoneda, PhD
Reg. No. 43,332

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Dated: August 14, 2003